

DEPARTMENT OF BENEFIT PAYMENTS



June 24, 1974

ALL-COUNTY LETTER NO. 74-114

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: IMPLEMENTATION OF FAIR HEARING DECISION WHERE
HEARING REQUESTED BY COUNTY

REFERENCE: Welfare and Institutions Code § 10961

The purpose of this letter is to explain county welfare department responsibility regarding compliance with a fair hearing decision adopted by the Director of the Department of Benefit Payments (DBP) where the county requests a rehearing on the matter.

It is the position and practice of DBP, pursuant to Welfare and Institutions Code §§ 10961 and 10963, to require every county welfare department, upon receipt of any fair hearing decision of the Director of DBP, to immediately implement such decision.

The decision must be implemented even where a request for a rehearing is made by the county after receipt of the adopted fair hearing decision. The county welfare department must grant or deny assistance as ordered in the fair hearing decision unless and until that decision is modified by a decision after rehearing.

Any assistance payments made pursuant to an adopted fair hearing decision shall be retained by the recipient even if the original fair hearing decision is modified by a decision after rehearing.

Sincerely,


JAMES M. MOOSE, JR.

Deputy Director - Legal Affairs

cc: CWDA

OBSOLETE

Superseded by

ACL #77-15

Issued

3-17-77